

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

IN RE: PLAYAGS, INC.
SECURITIES LITIGATION

Case No. 2:20-cv-01209-JCM-NJK

Order

[Docket No. 100]

Pending before the Court is Defendants' motion to stay discovery pending resolution of their motion for judgment on the pleadings. Docket No. 100. Plaintiff filed a response in opposition. Docket No. 111. Defendants filed a reply. Docket No. 119.

For the first time in reply, Defendants raise the prospect that the PSLRA’s automatic discovery stay applies to pending motions for judgment on the pleadings brought pursuant to Rule 12(c) of the Federal Rules of Civil Procedure. Docket No. 119 at 14-15. The Court does not generally entertain arguments raised for the first time in reply, *Brand v. Kijakazi*, 575 F. Supp. 3d 1265, 1273 (D. Nev. 2021), and it is not clear why this issue was not briefed in the motion itself. Nonetheless, it would appear the automatic stay provision (if triggered) would likely trump the other issues raised given that it operates automatically.

Given the circumstances, the Court will allow Plaintiff an opportunity to respond to this issue by filing a supplemental opposition by March 20, 2023. Defendants may file a supplemental reply by March 22, 2023.

IT IS SO ORDERED.

Dated: March 16, 2023


Nancy J. Koppe
United States Magistrate Judge